

3. Inspection reports shall be submitted to and maintained by the Conservation Commission for all stormwater management systems within one (1) month following an inspection. Inspection reports for stormwater management systems shall include:

- a. The date of inspection;
- b. Name of inspector;
- c. The condition of (as applicable):
 - i. Pretreatment devices
 - ii. Vegetation or filter media
 - iii. Fences or other safety devices
 - iv. Spillways, valves, or other control structures
 - v. Embankments, slopes, and safety benches
 - vi. Reservoir or treatment areas
 - vii. Inlet and outlet channels and structures
 - viii. Underground drainage
 - ix. Sediment and debris accumulation in storage and forebay areas (including catch basins)
 - x. Any nonstructural practices
 - xi. Any other item that could affect the proper function of the stormwater management system
- d. Description of the need for maintenance;

- C. Right-of-Entry for Inspection – The terms of the inspection and maintenance agreement as specified in §2(H), OPERATION AND MAINTENANCE PLAN CONTENTS of these stormwater rules and regulations shall provide for the Conservation Commission or its designee to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. The Conservation Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under these stormwater rules and regulations and may make or cause to be made such examinations, surveys, or sampling as the Conservation Commission deems necessary, subject to the constitutions and laws of the United States and the Commonwealth.
- D. Records of Maintenance and Repair Activities – Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to the Conservation Commission, upon request. Parties responsible for the operation and maintenance of a management facility shall make available all records of the installation and of all maintenance and repairs, and shall retain the records for at least three (3) years following final inspections and/or repairs. These records shall be made available to the Conservation Commission during inspection of the facility and at other reasonable times upon request.
- E. Failure to Maintain – If responsible party fails or refuses to meet the requirements of the O&M Plan, the Conservation Commission or its designee, after sixty (60) days written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hours notice shall be sufficient), may correct a violation of the approved plans or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. After notification is provided to the owner, the parties responsible for carrying out the maintenance plan shall have thirty (30) days or other time frame mutually agreed to between the Conservation Commission or its designee and the parties responsible for carrying out the maintenance plan to correct the deficiencies. The Conservation Commission or its designee shall then conduct a subsequent inspection to ensure completion of repairs.

SECTION 7: CERTIFICATE OF COMPLETION

- A. Within ninety (90) days of completion of construction, the Conservation Commission may require the submission of Record Drawing(s) prepared by a Massachusetts-licensed professional engineer and Massachusetts-licensed Professional land surveyor, certifying that the completed project is in accordance with the approved plans and specifications. Furthermore, the Conservation Commission may require construction inspection reports sufficient to adequately document compliance, when necessary.
- B. The Conservation Commission will issue a Certificate of Completion upon determining that all work of the SMP has been satisfactorily completed in conformance with the approved plan.

SECTION 8: VIOLATIONS AND ENFORCEMENT

§8.1, INTRODUCTION:

The following section outlines those acts the Conservation Commission may consider a violation of the STORMWATER MANAGEMENT ORDINANCE, and outlines actions the Conservation Commission and its Agent may employ in response to violations or apparent violations of the STORMWATER MANAGEMENT ORDINANCE.

§8.2 POWERS OF THE CONSERVATION AGENT:

The Conservation Commission or its Agent shall enforce the STORMWATER MANAGEMENT ORDINANCE, these STORMWATER MANAGEMENT RULES AND REGULATIONS, orders, violation notices, and enforcement orders, and may pursue all civil, criminal and non-criminal remedies for such violations.

§8.3 VIOLATIONS DEFINED:

Each day a violation exists constitutes a separate violation. Violations include, but are not limited to:

- Refusal or failure to comply with a SMP;
- Refusal or failure to observe a particular condition or time specified in a SMP;
- Refusal or failure to complete work described in a SMP, whether or not such failure causes damage to the interests protected by the STORMWATER MANAGEMENT ORDINANCE and these stormwater rules and regulations;
- Refusal or failure to maintain a stormwater management facility covered by a SMP;
- Refusal or failure to obtain a valid SMP prior to conducting an activity subject to these stormwater rules and regulations under the STORMWATER MANAGEMENT ORDINANCE; and
- Illicit connections or discharges to the City of Attleboro municipal storm drain system.

§8.4 ENFORCEMENT:

If the Commission determines that an activity is in violation of the STORMWATER MANAGEMENT ORDINANCE and/or a SMP issued pursuant to the STORMWATER MANAGEMENT ORDINANCE, the Commission may: (1) issue an Enforcement Order; (2) impose fines; and/or (3) seek injunctive relief.

- A. Additional Enforcement Actions – The following remedies are available to the Commission, and shall be employed in addition to or in lieu of the other provisions of this section where the Commission deems appropriate.
 1. The Commission may seek remedies under the STORMWATER MANAGEMENT ORDINANCE, including instituting a civil action to obtain an injunction without the imposition of penalties, criminal enforcement of up to THREE HUNDRED (\$300.00) DOLLARS per day, or non-criminal citations of up to THREE HUNDRED (\$300.00) DOLLARS per day.

B. Issuance of Enforcement Order – An Enforcement Order issued by the Commission shall be signed by a majority of the Commission present to constitute a valid Enforcement Order. Should a situation require immediate action, an Enforcement Order may be signed by a single member of the Commission or by the Conservation Agent. In such a case, the Enforcement Order shall be ratified by a majority of members at the next scheduled meeting of the Commission. Any Commissioner or the Agent shall be the sole determining authority whether such violations require immediate attention.

C. Issuance of Criminal Fines – If the Commission contemplates a criminal fine or an adjustment of a fine for a violation, the Commission shall at its next public meeting discuss the violation and give the landowner or the landowner's representative an opportunity to respond to the evidence and circumstances. Consistent with due process, the applicant shall have the opportunity to present evidence on his/her behalf at such meeting. The landowner shall be given at least forty-eight (48) hours notice in writing of the date, time, and place of the public meeting, by Certified Mail, Priority Mail with Certificate of Mailing, or hand delivery. The Commission reserves the right to adjust a fine in response to new information or new circumstances at a public meeting to which the landowner will be given notice as herein outlined.

1. Amount of Criminal Fines

If a majority of the Commission present at the meeting finds by a preponderance of the evidence that a violation has occurred, the landowner shall be levied a fine of not more than THREE HUNDRED (\$300.00) DOLLARS per violation in accordance with the STORMWATER MANAGEMENT ORDINANCE.

2. Calculation of Criminal Fines

- a. The Commission hereby establishes guidelines for calculating the appropriate amount of the fine if levied by the Commission.
- b. Each day a violation exists constitutes a separate violation.
- c. A fine may be issued in conjunction with, or in lieu of, any other enforcement issued under this section.
- d. The Commission may levy a fine of THREE HUNDRED (\$300.00) DOLLARS for any action that does not comply with an issued SMP, as defined in the STORMWATER MANAGEMENT ORDINANCE.
- e. The Commission may levy a fine of THREE HUNDRED (\$300.00) DOLLARS for not obtaining a SMP for activities regulated under the STORMWATER MANAGEMENT ORDINANCE.
- f. The Commission may levy a fine of THREE HUNDRED (\$300.00) DOLLARS for illicit connections or discharges to the Attleboro municipal storm drain system.

3. Notice of Criminal Fines

The Commission shall send in writing to the responsible landowner by Certified Mail, Priority Mail with Certificate of Mailing, or by hand delivery a Notice of Fine, or fines, which includes an explanation thereof, and the date, or approximate date, of the violation from which daily violations are counted.

4. Reservation of Criminal Fines

The Commission may, in its discretion, withhold sending the Notice of Fine for a specified time where the landowner submits a written plan with a timetable for full restitution of the violation. However, if satisfactory restitution is not made in a timely manner, the notice shall be retroactive to the start of the violation.

§8.5, NON-CRIMINAL ENFORCEMENT OF ORDINANCE VIOLATIONS:

In addition to other remedies provided herein, the Commission may employ the non-criminal enforcement procedure pursuant to MGL CH. 40 §21D, adopted by the Municipal Council as a city ordinance. A violator of the STORMWATER MANAGEMENT ORDINANCE may be issued a non-criminal citation and assessed a fine up to THREE HUNDRED (\$300.00) DOLLARS per violation. Each day a violation exists constitutes a separate violation. A separate citation may be issued for each violation. Any person so notified may appear before the clerk of the District Court and pay the fine, or may mail the fine together with a copy of the notice to the City Clerk. Any appearance or payment under this paragraph is not deemed to be a criminal proceeding. If the citation is not paid in full within twenty-one (21) days of its issuance, the Agent shall make application for a criminal complaint in the District Court. The procedure for appeal of a citation is described in the City's Non-Criminal Disposition of Violations Ordinance (§1-5.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended) as well as in MGL CH. 40, §21D, and allows the violator to request a hearing in writing within twenty-one (21) days after the date of the notice. Such hearing will be held before a district court judge, clerk, or assistant clerk, or, as the court shall direct.

SECTION 9: SEVERABILITY

The invalidity of any section or provision of these rules and stormwater rules and regulations shall not invalidate any other section or portion thereof, nor shall it invalidate any permit or determination that previously has been issued.

SECTION 10: EFFECTIVE DATE

These rules and stormwater rules and regulations shall be effective July 14, 2008.

APPENDIX A

GENERAL INSTRUCTIONS AND CHECKLIST FOR COMPLETING STORMWATER MANAGEMENT PERMIT (SMP) APPLICATION



CITY OF ATTLEBORO CONSERVATION COMMISSION

GOVERNMENT CENTER, 77 PARK STREET
DEPARTMENT OF PLANNING & DEVELOPMENT
ATTLEBORO, MASSACHUSETTS 02703
(T) 508.223.2222 (F) 508.222.3046

GENERAL INSTRUCTIONS AND CHECKLIST FOR COMPLETING STORMWATER MANAGEMENT PERMIT (SMP) APPLICATION

FILING APPLICATION

The applicant shall file with the Conservation Commission an original and ten (10) copies of a completed application package for a SMP. One must include the original signatures of the applicant and property owner. The applicant must certify that the application is complete. If a submitted application does not include all of the required information as listed in the plan checklists, the application will be deemed incomplete and will not be processed. The SMP Application package may be submitted in two stages—an optional Concept Plan and the mandatory Final Plan. The Concept Plan is an optional application that enables the applicant to determine the feasibility of the site design concept before detailed engineering design is performed. Denial by the Commission of a Concept Plan shall not preclude the applicant from proceeding with a Final Plan, nor shall approval of a concept plan obligate the Commission to approve a Final Plan. An applicant may choose to skip the Concept Plan step at his/her own discretion and proceed directly with a Final Plan application. The following are the application filing requirements:

For the Concept Plan:

1. A completed current *SMP Application Form* (available from the Commission office or the City of Attleboro web site) with original signatures of all owners;
2. Stormwater Management Concept Plan and supporting information in accordance with the current "Checklist for Concept Stormwater Management Plan" as provided in Appendix A; and
3. Payment of the Application and Consultant Services Fees pursuant to §2(E).

For the Final Plan:

1. A completed current *SMP Application Form* (available from the Commission office or the City of Attleboro web site) with original signatures of all owners;
2. The Conservation Commission's *Certified List of Abutters* form (available from the Conservation Commission office or the City of Attleboro web site). The list shall include the names and addresses of all abutters and shall be signed by an authorized representative of the City Tax Assessor's Office. Written notification of the filing of a SMP shall be delivered by the applicant via Certified Mail, Priority Mail with Certificate of Mailing, or hand delivery to all abutters of the property subject to the application. Abutters include any property located directly opposite on any public or private street or way, and any abutters to the abutters within one hundred (100') feet of the property line of the applicant, including any abutters located in another community or across a body of water. When a SMP application is filed concurrently with a Conservation Commission application, the abutter notification shall be combined and shall utilize the more restrictive abutter notification radius. The abutters shall be notified of both applications with one notification. The notice shall be made using the Conservation Commission's *Notification to Abutters* form (available from the

Commission office or the City of Attleboro web site) and shall provide the time, place, and subject matter of the public hearing. Written notice shall be given to abutters not less than five (5) business days prior to the public hearing. Evidence of proper abutter notification shall be provided to the Conservation Commission prior to its opening of the public hearing;

3. Stormwater Management Final Plan and supporting information in accordance with the current "Checklist for Final Stormwater Management Plan" as provided in Appendix B;
4. Operation and Maintenance Plan;
5. Payment of the application and review fees per pursuant to §2(E) of the stormwater rules and regulations;
6. Inspection and Maintenance Agreement; and
7. Erosion and Sediment Control Plan;

Additional Information

The Conservation Commission reserves the right to require additional information during the course of the public hearing.

Public Hearing Schedule

After a SMP application is certified as complete by, the Conservation Commission will schedule a hearing within 90 days.

APPENDIX B

STORMWATER MANAGEMENT PERMIT (SMP) APPLICATION



CITY OF ATTLEBORO CONSERVATION COMMISSION

GOVERNMENT CENTER, 77 PARK STREET
DEPARTMENT OF PLANNING & DEVELOPMENT
ATTLEBORO, MASSACHUSETTS 02703
(T) 508.223.2222 (F) 508.222.3046

Please check one:

- ☐ Concept Plan
☐ Final Plan

STORMWATER MANAGEMENT PERMIT APPLICATION

Pursuant to Chapter 19 of the Revised Ordinances of the City of Attleboro

(PRINT OR TYPE)

1. Name of Applicant: _____
Address: _____
Telephone Number: _____
E-mail Address: _____
2. Name of Property Owner: _____
Address: _____
Telephone Number: _____
3. Name of Representative: _____
Address: _____
Telephone Number: _____
4. Project Street Location: _____
Assessor's Plat(s) and Lots(s): _____
5. Deed/Property Recorded In: _____
Registry Book and Page: _____
6. This application **does** / **does not** fall under the jurisdiction of the Conservation Commission under the Massachusetts WETLANDS PROTECTION ACT, MGL Ch.131 §40 or City of Attleboro's Chapter 18 LOCAL WETLANDS PROTECTION ORDINANCE.

7. This application is / is not filed simultaneously with a Notice of Intent under the Massachusetts WETLANDS PROTECTION ACT, MGL Ch.131 §40.
8. Briefly describe the proposed work, including at a minimum, the proposed project and stormwater measures (see checklist for specific requirements).
- _____
- _____
- _____
- _____
9. If any waivers are being requested, state the waiver, cite the (sub)section from which the waiver is being requested, describe the extent of the waiver, and clearly explain in detail the reason and need for the waiver.
- _____
- _____
- _____
- _____
10. Have you attached the completed Concept Plan / Final Plan checklist to this application form?
11. Have you included the \$100 (Concept Plan) / \$400 (Final Plan) filing fee for this project as required in §2(E)(2), FEES of these rules and regulations? (Make check payable to the City of Attleboro)
- Check Number: _____ Payor Name on Check: _____
12. If this is a **Final Plan** application, you must prepare an abutters list prior to filing this application and submit it to the City Assessor's Office for certification. This abutters list must be certified by the Assessor no more than six (6) months in advance of the submission of this application to the Conservation Commission. The certified abutters list must be included with this application. After the Conservation Commission schedules a public hearing for a **Final Plan** application, you must notify abutters as they appear on the list certified by the Assessor's Office not less than five (5) business days prior to the date of the public hearing. Notification must be made via certified mail, or Priority Mail with Certificate of Mailing from the Post Office, using the Attleboro Conservation Commission *Notification to Abutters* form. Certified mail receipts or Certificates of Mailing must be submitted to the Commission prior to the public hearing.

13. I hereby certify, under the pains and penalties of perjury, that the contents of this application and all supporting documents are true and complete.

Signature of Applicant:

Date:

14. By signing this application, the owner grants permission to the Conservation Commission and designated representatives to enter upon the premises of the site.

Signature of Applicant:

Date:

15. Pursuant of §9-31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, I attest that, to the best of my knowledge, I have paid any and all real estate taxes, excise taxes, or any other municipal charges.

Signature of Owner:

Date:

Please note that pursuant to §9.31 DELINQUENT TAXPAYERS of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, this application cannot be filed with the Office of the City Clerk or be processed by the Department of Planning and Development unless it is signed or initialed by the City Collector and the City Treasurer.

Debora Marcoccio, City Collector _____

Ethel Sandbach, City Treasurer _____

I hereby certify that the contents of this application and all supporting documents have been submitted for purposes of scheduling a public hearing.

Lee Fuller, Conservation Agent _____

Date: _____

APPENDIX C

CHECKLIST FOR CONCEPT STORMWATER MANAGEMENT PLAN

CHECKLIST FOR CONCEPT STORMWATER MANAGEMENT PLAN

PREPARATION AND REVIEW

The following shall be submitted to the Conservation Commission with every stormwater management Concept Plan application. Please check each box to indicate that you have included the information with your application, detailed where in the plans or reports the information can be found, and sign the statement on page C-3. The application will not be accepted by this department for processing unless: (a) the engineer signs and stamps the certification on page C-3 and (b) all portions of this checklist are filled out and accompany the application at the time of submittal.

- ☐ Applicant Information
- ☐ Name, legal address, and telephone number of project owner
- ☐ Common address and legal description of site
- ☐ Vicinity Map
- ☐ Existing zoning and land use at the site
- ☐ Proposed Land Use
- ☐ General Project Narrative
- ☐ Existing and proposed mapping and plans (scale not greater than 1"=100') which conceptually illustrate at a minimum:
 - ☐ Existing topography (2-foot contours recommended) (see sheet(s) # _____)
 - ☐ Perennial and intermittent streams (see sheet(s) # _____ or indicate N/A)
 - ☐ Mapping of predominant soils from USDA soil surveys (see sheet(s) # _____)
 - ☐ Boundaries of existing predominant vegetation and proposed limits of clearing (see sheet(s) # _____)
 - ☐ Location and boundaries of resource protection areas such as wetlands, lakes, ponds, and setbacks (e.g., buffers, water supply wells, septic systems) (see sheet(s) # _____ or indicate N/A)
 - ☐ Location of floodplain/floodway limits and relationship of site to upstream and downstream properties and drainages (see sheet(s) # _____ or indicate N/A)
 - ☐ Location of existing and proposed roads, buildings, and other structures (see sheet(s) # _____)
 - ☐ Existing and proposed utilities (e.g., water, sewer, gas, electric) and easements (see sheet(s) # _____)
 - ☐ Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains (see sheet(s) # _____)
 - ☐ Existing and proposed catchment areas and drainage flow paths (see sheet(s) # _____)
 - ☐ Preliminary location and dimensions of channel modifications, such as bridge or culvert crossings (see sheet(s) # _____ or indicate N/A)

- ☐ Preliminary location, size, and limits of disturbance of proposed stormwater treatment practices (type of practice, depth, area) **(see sheet(s) # _____)**
- ☐ Site Design Features that document the following:
 - ☐ Mapped steep slopes greater than 15% and forest stands exceeding 10,000 square feet in area **(see sheet(s) # _____ or indicate N/A)**
 - ☐ Delineated building envelopes that avoid steep slopes, forest stands and floodplains, and provide applicable buffers from wetland resource areas **(see sheet(s) # _____)**
 - ☐ Identification of natural open space provided on-site, and calculation of percent natural open space provided **(see sheet(s) # _____)**
 - ☐ Methods used to minimize impervious area and calculated total percent impervious onsite (refer to the latest edition of the MASWMS for more information on available methods) **(see page(s) # _____ of narrative or stormwater report)**
 - ☐ Methods used to disconnect impervious surfaces and calculated percent of “effective” impervious area (refer to the latest edition of the MASWMS for more information on available methods) **(see page(s) # _____ of narrative or stormwater report)**
- ☐ Preliminary selection and rationale for structural stormwater management practices **(see page(s) # _____ of narrative or stormwater report)**
- ☐ Preliminary sizing calculations for proposed stormwater treatment practices, including contributing drainage areas and storage **(see page(s) # _____ of narrative or stormwater report)**
- ☐ Preliminary landscaping narrative or stormwater report for stormwater treatment practices and any site reforestation or revegetation **(see page(s) # _____ of narrative or stormwater report)**
- ☐ Preliminary erosion and sediment control narrative or stormwater report that at a minimum meets the requirements outlined in these Regulations and the Massachusetts Stormwater Standard #8 **(see page(s) # _____ of narrative or stormwater report)**
- ☐ Identification of all anticipated applicable local, state and federal permits **(see page(s) # _____ of narrative or stormwater report)**
- ☐ Identification of all anticipated legal agreements (e.g., off-site easements, covenants, land trusts) **(see page(s) # _____ of narrative or stormwater report)**

I attest, as the project engineer, that to the best of my knowledge, all items required above are included as part of this stormwater management Concept Plan application filing.

Signature: _____

Date: _____

Printed Name: _____

Title: _____

Company: _____

Telephone #: _____

E-Mail Address: _____

STAMP:

APPENDIX D

CHECKLIST FOR FINAL STORMWATER MANAGEMENT PLAN

CHECKLIST FOR FINAL STORMWATER MANAGEMENT PLAN

PREPARATION AND REVIEW

The following shall be submitted to the Conservation Commission with every stormwater management Final Plan application. Please check each box to indicate that you have included the information with your application, detailed where in the plans or reports the information can be found, and sign the statement on page D-4. The application will not be accepted by this department for processing unless: (a) the engineer signs and stamps the certification on page D-4 and (b) all portions of this checklist are filled out and accompany the application at the time of submittal.

- ☐ Applicant Information
- ☐ Name, legal address, and telephone number of project owner
- ☐ Common address and legal description of site
- ☐ Signature and stamp of licensed engineer/surveyor and design/owner certification
- ☐ Vicinity Map
- ☐ Abutter Notification
- ☐ Existing zoning and land use at the site
- ☐ Proposed Land Use
- ☐ Detailed Project Narrative
- ☐ Existing and proposed mapping and plans (recommended scale of 1"=40' or greater detail) which define at a minimum:
 - ☐ Existing and proposed topography (minimum of 2-foot contour interval) (see sheet(s) # _____)
 - ☐ Existing and proposed watershed delineations (see sheet(s) # _____)
 - ☐ Perennial and intermittent streams (see sheet(s) # _____ or indicate N/A)
 - ☐ Mapping of predominant soils from USDA soil surveys as well as location of site-specific borings and/or test pits (see sheet(s) # _____)
 - ☐ Boundaries of existing predominant vegetation and proposed limits of clearing (see sheet(s) # _____)
 - ☐ Location and boundaries of resource protection areas such as wetlands, lakes, ponds, and other setbacks (e.g., stream buffers, drinking water well setbacks, septic setbacks) (see sheet(s) # _____)
 - ☐ Location of existing and proposed roads, buildings, and other structures (see sheet(s) # _____)
 - ☐ Location of existing and proposed utilities (e.g., water, sewer, gas, electric) and easements (see sheet(s) # _____)
 - ☐ Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains (see sheet(s) # _____)
 - ☐ Drainage flow paths (see sheet(s) # _____)

- ☐ Location of floodplain/floodway limits and relationship of site to upstream and downstream properties and drainages (see sheet(s) # _____ or indicate N/A)
- ☐ Location and dimensions of proposed channel modifications, such as bridge or culvert crossings (see sheet(s) # _____ or indicate N/A)
- ☐ Soils information from test pits or borings at the location of proposed stormwater management facilities, including but not limited to soil descriptions, depth to seasonal high groundwater, depth to bedrock, and estimated hydraulic conductivity. Soils information will be based on site test pits or borings logged by a Massachusetts certified Soil Evaluator, or a Massachusetts Licensed Professional Engineer (see sheet(s) # _____ and/or page(s) # _____ of narrative or stormwater report)
- ☐ Site Design Features that document the following:
 - ☐ Mapped steep slopes greater than 15% and forest stands exceeding 10,000 square feet in area (see sheet(s) # _____ or indicate N/A)
 - ☐ Delineated building envelopes that avoid steep slopes, forest stands and floodplains, and provide applicable buffers from wetland resource areas (see sheet(s) # _____ or indicate N/A)
 - ☐ Identification of natural open space provided on-site and calculation of percent natural open space provided (see sheet(s) # _____)
 - ☐ Methods used to minimize impervious area and calculated total percent impervious onsite (refer to the latest edition of the MASWMS for more information on available methods) (see page(s) # _____ of narrative)
 - ☐ Methods used to disconnect impervious surfaces and calculated percent of “effective” impervious area (refer to the latest edition of the MASWMS for more information on available methods) (see page(s) # _____ of narrative)
- ☐ Representative cross-section and profile drawings, notes and details of structural stormwater management practices and conveyances (i.e., storm drains, open channels, swales, etc.), which include:
 - ☐ Locations, cross sections, and profiles of all streams and drainage swales and their method of stabilization (see sheet(s) # _____)
 - ☐ Existing and proposed structural elevations (e.g., invert of pipes, manholes, etc.) (see sheet(s) # _____)
 - ☐ Design water surface elevations (see sheet(s) # _____)
 - ☐ Structural details of outlet structures, embankments, spillways, stilling basins, grade control structures, conveyance channels, etc. (see sheet(s) # _____)
 - ☐ Logs of borings and/or test pit investigations along with supporting geotechnical report (see page(s) # _____ of narrative or stormwater report)
- ☐ Hydrologic and hydraulic analysis for all structural components of stormwater system (e.g., storm drains, open channels, swales, stormwater management practices, etc.) for applicable design storms, including:

- ☐ Existing condition analysis for watershed boundaries, curve numbers, time of concentrations, runoff rates, volumes, velocities, and water surface elevations showing methodologies used and supporting calculations (see page(s) # _____ of narrative or stormwater report)
- ☐ Proposed condition analysis for watershed boundaries, curve numbers, time of concentrations, runoff rates, volumes, velocities, water surface elevations, and routing showing the methodologies used and supporting calculations (see page(s) # _____ of narrative or stormwater report)
- ☐ Final sizing calculations for structural stormwater management practices including, contributing drainage area, storage, and outlet configuration (see page(s) # _____ of narrative or stormwater report)
- ☐ Stage-discharge or outlet rating curves and inflow and outflow hydrographs for storage facilities (e.g., detention, retention or infiltration facilities) (see page(s) # _____ of narrative or stormwater report)
- ☐ Dam breach analysis, where necessary, for earthen embankments over eight (8') feet in height and less than 2,000 feet upstream of a road crossing or structure (see page(s) # _____ of narrative or stormwater report or indicate N/A)
- ☐ Final landscaping plans for structural stormwater management practices and any site reforestation or revegetation, including:
 - ☐ Location of woody and herbaceous vegetative stabilization (see sheet(s) # _____)
 - ☐ Species, size, planting methods, and maintenance requirements of proposed landscaping (see sheet(s) # _____ and/or page(s) # _____ of narrative or stormwater report)
- ☐ Structural calculations, where necessary (see page(s) # _____ of narrative or stormwater report or indicate N/A)
- ☐ Applicable construction specifications (see sheet(s) # _____)
- ☐ Erosion and sediment control plan that at a minimum meets the requirements of these Regulations and the Massachusetts Stormwater Policy Standard #8 (see sheet(s) # _____ and/or page(s) # _____ of narrative or stormwater report)
- ☐ Sequence of construction (see sheet(s) # _____ and/or page(s) # _____ of narrative or stormwater report)
- ☐ Maintenance plan, which will include:
 - ☐ Name, address, and phone number of responsible parties for maintenance (see page(s) # _____)
 - ☐ Description of annual maintenance tasks (see page(s) # _____)
 - ☐ Description of applicable easements (see page(s) # _____)
 - ☐ Description of funding source (see page(s) # _____)
 - ☐ Minimum vegetative cover requirements (see page(s) # _____)
 - ☐ Access and safety issues (see page(s) # _____)

- ☐ Identification of all anticipated applicable local, state and federal permits (see page(s) # _____ of narrative or stormwater report)
- ☐ Identification of all necessary legal agreements (e.g., off-site easements, covenants, land trusts) (see page(s) # _____ of narrative or stormwater report)

I attest, as the project engineer, that to the best of my knowledge, all items required above are included as part of this stormwater management Final Plan application filing.

Signature: _____

Date: _____

Printed Name: _____

Title: _____

Company: _____

Telephone #: _____

E-Mail Address: _____

STAMP:

CERTIFIED LIST OF ABUTTERS

ATTLEBORO CONSERVATION COMMISSION

City Assessor, or designee's, initials: _____ Date: _____

Type of Application: _____ Filing under Ma. Wetlands Protection Act/Stormwater Management Ordinance
(check all that apply) (notify all properties within 100 feet of property line**) _____
Filing under City of Attleboro Wetland Protection Ordinance
(notify all direct abutters and abutters to them within 300 feet of property line**) _____

Name of Applicant: _____

Phone Number: _____

Property Owner: _____

Property Owner Signature: _____

Property Address: _____

Assessor's Plat/Map: _____ Lot(s): _____

PLEASE PRINT OR WRITE NEATLY PLAT NUMBER AND LOT NUMBER IN EACH BOX (use additional sheet if necessary)

**Including abutters located directly opposite on any public or private street or way, in another municipality or across a body of water.

Revised 4/12

APPENDIX E

MEDIAN POLLUTANT REMOVAL FOR APPROVED PRACTICES TO MEET WATER QUALITY TREATMENT CRITERIA

Median Pollutant Removal for Approved Practices to Meet Water Quality Treatment Criteria

Best Management Practice	Median Pollutant Removal (%) ¹	
	TSS ²	TP
Constructed Wetlands	80	50
Extended Dry Detention Basins	50	20
Wet Retention Basins	80	50
Water Quality Swales	70	55
Sand Filters/Organic Filters	80	30
Bioretention/Rain Gardens	90	60
Infiltration Basins	80	65
Infiltration Trenches	80	55

¹ Derived from the 2008 Massachusetts Stormwater Management Standards (MASWMS) Update

² TSS removal rates assume practice is designed according to the latest version of the MASWMS and with an appropriate and effective pretreatment system.

VIOLATION PERIOD

April 18th – May 7th = 23 days

Statutory max = 16,000 a day/ 177,500 max

If allege 23 days then ask for \$7700 a day to reach \$177,100 (just under statutory max)

If allege 11 days x the \$16K daily max to reach \$176,000 (just under statutory max)

NAT'L MUNI LIT. CONSIDERATION FACTOR

Doesn't apply – can't say good faith effort to comply

But, also then, since doesn't apply, we're not limited to 40% for SEP

SEP CALCULATION

22661 + 10050 = 32711 penalty without SEP

10,050 + 2266 = 12,316 (EB + 10%)

5665 (25%)

That leaves 20,395 for SEP giving a 100% mitigation credit

Or could require 25% and then it's a little less than 100% mitigation credit

Pay \$12K, spend \$20 – 25K on SEP

SIMILAR PENALTIES

[checking with Joanne Fillebrown]

TEST-DRINKING-WATER-IN-SCHOOLS SEP (BROCKTON LANGUAGE)

Within 90 days, submit work plan for sampling drinking water in listed schools/childcare
– CAN GIVE THEM BROCKTON / BILLERICA AS E.G.?

Prioritize schools/childcare facilities to be sampled, set forth a timetable for completion of collection and evaluation of samples from representative faucets /fixtures

Identify city personnel /qualified contractor who will do the work

Identify all faucets/fixtures and prioritize each outlet for sampling based on children's access/use as source of drinking water/whether been recently tested, and proposal for number and location of faucets/fixtures to be sampled

Develop a sampling protocol that complies with [2005 draft EPA document "Getting Lead Out..." ???] and that includes 2 samples per outlet, consisting of first draw samples of water after sitting for 8 hours, but no more than 18 hours; second flush samples collected after running water for 30 seconds; and field QC samples consisting of one duplicate per every 20 samples collected

Analysis of the samples by certified lab per EPA Methods

Tabulating and reporting of data with copies to schools/day care

Within 90 days of approval, city shall complete implementation of sampling and analysis and report

If requisite sampling identified elevated lead results at a school/day care, city will ensure that appropriate action as required by Mass. law is undertaken, including but not limited to taking add'l samples or implementing remedial measures. [[Such add'l sampling or remedial measures as required by Mass law shall not be an element or requirement of this SEP???]] Nothing here in shall limit the city's liability under federal state or local laws or regs.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR STORM WATER DISCHARGES
FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

Authorization to discharge under the National Pollutant Discharge Elimination System

In accordance with the provisions of the Clean Water Act, as amended, (33 U.S.C. §1251 et. seq. (the Act)) operators of small municipal separate storm sewer systems, located in the areas specified in Parts I.A.2., 3., and 4 are authorized to discharge in accordance with the conditions and requirements set forth herein.

Only operators of storm water discharges from small municipal separate storm sewer systems in the general permit area who submit a Notice of Intent and a storm water management program in accordance with Part I.E. of this permit and obtain written authorization from EPA are authorized under this general permit.

This permit becomes effective on May 1, 2003.

This permit and authorization to discharge expire at midnight five years from the effective date.

Signed this 18 day of April 2003

Linda M. Murphy, Director
Office of Ecosystem Protection
United States Environmental Protection Agency
One Congress Street - Suite 1100
Boston, Massachusetts 02114

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR STORM WATER DISCHARGES
FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

Authorization to discharge under the National Pollutant Discharge Elimination System

In accordance with the provisions of the Clean Water Act, as amended, (33 U.S.C. §1251 et. seq. (the Act) operators of small municipal separate storm sewer systems, located in the area specified in Part I.A.1, Commonwealth of Massachusetts, are authorized to discharge in accordance with the conditions and requirements set forth herein.

Only operators of storm water discharges from small municipal separate storm sewer systems in the general permit area who submit a Notice of Intent and a storm water management program in accordance with Part I.E. of this permit and obtain written authorization from EPA are authorized under this general permit.

This permit becomes effective on May 1, 2003.

This permit and authorization to discharge expire at midnight five years from the effective date.

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